

State of Kansas . . . John Carlin, Governor

DEPARTMENT OF HEALTH AND ENVIRONMENT

JOSEPH F. HARKINS, Secretary

Forbes Field
Topeka, Kansas 66620
913-862-9360



September 4, 1981

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ENVIRONMENTAL
SANITATION

Richard A. Pretzel
Reid Supply Company
2549 New York
Wichita, KS 67211

Dear Mr. Pretzel:

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Y

I appreciated your taking time to speak with me and my colleague, Charlie Spencer, on our September 2, 1981 visit. It was an informative session. Obviously much work has been done already in an effort to bring the facility up to State and Federal standards. There is, as you are now aware, certain areas that still need to be upgraded, however, and these areas represent violations of our State regulations -- Specifically, K.A.R. 28-29-44. This regulation states that facilities requiring storage permits must meet the standards of 40 CFR Part 265 for interim status facilities. You do not presently have a complete personnel training program, you are not currently maintaining an inspection log, and you do not now have a closure plan documented. These deficiencies represent violations of 265.16, 265.15, and Subpart G of Part 265 respectively.

A more important concern than any of the deficiencies above listed is the condition and general management of the drums in and around your Warehouse C. Although these drums represent just a remnant of the total drums that were on site a year ago, the backlog is still overwhelming. Again the state of this storage area is in conflict with K.A.R. 28-29-44 referencing back to 40 CFR Part 265 and ultimately 265.35 and 265.71. 40 CFR 265.35 states that "The owner or operator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in case of emergency..." As it now stands, many of your drums are bunched in such a way that a leak would be difficult to detect and difficult to respond to. 40 CFR 265.7 states that "if a container holding hazardous waste is not in good condition, or if it begins to leak, the owner or operator must transfer hazardous waste from this container to a container that is in good condition, or manage the waste in some other way that complies with the requirements of this part." You would agree that many of the drums in and around the warehouse are in a deteriorated condition and need to be emptied.

I spoke with Bene Stamme by phone on the day after my visit and he indicated that a priority would be set to clean up the existing backlog of drums. All free solvent is to be pumped out to your twin 4500 holding tanks and from there sent off site via vacuum and pressure tank truck services of Tulsa, Oklahoma. The



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them to be sent to the BFI hazardous waste landfill in Livingston, Louisiana. In line with Mr. Stammes' description of what remedial action can and will be taken, our Department will set the date of Oct. 1, 1981 as the time by which the backlog of solvent and sludge should have been shipped out, or at least made ready for shipment. This need only apply to wastes which has been on site before the first of this year.

October 1, 1981 will also be set as the date by which you should have your inspection log, personnel training, and closure plan requirements fulfilled.

I did transfer some faulty information to you concerning EPA technical requirements for storage facilities. I mentioned that storage areas needed to be diked to be able to retain 10% of the contents of the containers if they started leaking. Apparently that will not be a requirement until such time as you are required to file a Part B permit with the EPA. When that will be, I am not sure. Since it will be required sooner or later, however, you may want to proceed with plans to dike the area and get the requirement out of the way.

Sincerely,

Dale T. Stuckey
Field Services Section
Bureau of Environmental Sanitation

DTS:jlw

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